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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ABRAMS, NEIL

ART UNIT	PAPER NUMBER
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2839

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821830

Applicant(s)

Examiner

N. Abrams

Group Art Unit

2839

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-29 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 27-29 is/are allowed.
- ☒ Claim(s) 1-6, 9-12, 15-18, 21, 22 is/are rejected.
- ☒ Claim(s) 7, 8, 13, 14, 19, 20, 25, 26 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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Claim 4, line 3 "biding" changed to --binding--. Claim 27, line 6 "cable" changed to --connector--.

The above changes were made by the examiner. Applicant should correct his copy.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIA (pre-AIA 35 U.S.C. 102(e)).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1, 2, 4, 5, 6, 9, 10, 11, 12, 15, 16, 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Jarrett.

For claim 1, Jarrett discloses a support 30, a module (housing), a module latch 18 in the housing, a part 16 engageable to the connector 20 and bias means 22 (claim 6). The connector presence causes the latch to engage the support, fig. 4.

Applicant on page 8, lines 27-29, discloses that the claimed assembly is readable on connector 52 "without a flange 54" in which case it appears that latching must be by frictional engagement. This type engagement would exist in Jarrett, fig. 4, between plug 20 and part 16, therefore part 16 should be readable as a connector latch, the term interpreted in light of the spec.

Claim 2 met by latch 14. Claim 4 is readable on entire latch being formed of a material
(*typical plastic*)
read as a low friction material. Claim 5 reads on latch 14 itself since it is to be positioned by
hand to overcome bias means 22. Other claims being similar in scope to claims 1, 2, 4, 5, 6 are also rejected.

Claims 1-6, 9-12, 15-18, 21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jarrett alone or in view of McAnally.

Using Jarrett above, for claims 1, 9, 15, 21, 24, since frictional engagement of 14 to 20 is not clearly disclosed, should issues arise, such type engagement is also seen to an obvious result of structure shown. Claim 3 seen to be obvious change not pertinent to main inventive concept. For claim 4, use of non-binding material for latch 4 also considered an obvious choice wherever

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sliding parts are used. For claims 21, 24, recited steps are seen to clearly be the obvious manner of use of the Jarrett assembly. Other claims treated as discussed above.

As an alternative, Jarrett together with McAnally is also applied.

For Jarrett, the latch part 14 lacks a portion designed to block connector ~~designed to block~~ ~~connector~~ 20 removal. McAnally shows a support securing device with a part 58 to block connector removal when the module is fixed to the support. It would have been obvious to add such a blocking part to the Jarrett latch 14. This would provide strain relief for the plug. Other claims are treated as discussed above. Claims 21, 24 relate to obvious use of such modified assembly.

Claims 27-29 are allowed.

Claims 7, 8, 13, 14, 19, 20, 22, 23, 25 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: For claims 1, 19, 15, 20 McAnally has been considered but does not include the "connector causing" feature. In fig. 8, the latch engages the support at 62, 76 but this positioning is not caused by the presence of connector 36. For claim 24, the McAnally, fig. 7 plug 36 may be removed but this step would not be followed by a step of releasing the latch from the support at 76, 62 since such release has already occurred. Nor are these features suggested by other prior art. For claims 7, 13, 19, 25,

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27 no "tool securing mechanism" or "latch positioning tool use" is taught or fairly suggested by the prior art in the context of these claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to N. Abrams at telephone number 308-1729.

Abrams/ek

07/29/03


NEIL ABRAMS
EXAMINER
ART UNIT 322